

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – JUNE 6, 2012 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

• **CALL TO ORDER.**

Mayor Hill called the meeting to order at 6:30 PM.

Councilors Present: Rita-Loy Simmons, Chuck Ring, John Abrams.

Councilors Absent: Sherry Abraham

Also present was Ms. Karen Mahalick, A.I.C.P., Administrator, and Ms. Estefanie Muller, C.M.C, Clerk-Treasurer.

• **PLEDGE OF ALLEGIANCE.**

1. APPROVAL OF AGENDA.

Mayor Hill took this opportunity to let everyone know Item 10B will be handled as a Quasi Judicial Procedure.

MOTION: Councilor Abrams made a motion to approve the Agenda as presented. Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

2. APPROVAL OF CONSENT AGENDA.

A. Approval of the Regular Council Meeting Minutes of May 16, 2012.

B. Acknowledge Receipt of the Planning & Zoning Commission Meeting Minutes of May 21, 2012.

MOTION: Councilor Simmons made a motion to approve the Consent Agenda with the exception of the Council Minutes. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. The motion carried.

Councilor Simmons requested a correction to page 5, item 9B, in the motion clarification on the increase for the Judge to include "per month".

MOTION: Councilor Simmons made a motion to amend the Minutes as discussed. Councilor Abrams seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

3. MATTERS FROM THE MAYOR.

Mayor Hill stated Council Abraham would not be here this evening because she is attending a MOLI training. He also stated Mr. Miller from Santa Fe County had presented the Town with a contract to support the Wildlife West Zookeeper Camp in the

amount of \$4,500.00. He thanked Mr. Miller and asked him to please pass on the gratitude to Santa Fe County and staff.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

A. Police Department Operations – Councilor Ring.

Councilor Abrams discussed the recent celestial events stating he had really enjoyed them.

Councilor Simmons discussed the Mountain Valley Cemetery Annual Meeting that was held at the Edgewood Community Center on Memorial Day and thanked staff for the new stove that was in place for the event.

Councilor Ring discussed the Towns participation in the NCRTD stating the Town had finally been invited to appear before the board. He added they are not ready at this time to approve the Towns membership and they have asked for some additional items and information. He stated the Town may be able to handle their concerns without becoming a member of this board. He went on to explain the way the 1/8% Tax works, who participates, and how it is distributed.

Mayor Hill responded he had some concerns and had engaged in a conversation with Commissioner Anaya. He agreed the Town should be a member but felt it would be ore appropriate to write a letter to the NCRTD Board and remind them the Town is a peer governmental entity and they should assume the Town has the ability to plan.

Councilor Ring discussed the Salt Mission Trails in which they plan to bring tourism to the area, past Mountainair to the Salt Mission Pueblo. He added they are not requesting funds at this time but could in the future and will be a great contribution to the Town and the area.

Councilor Ring also discussed the purchase of certain items for use by the Police Department such as GPS, patrol cameras, ammunition for practice and qualifying. He also stated the Mayor would be scheduling a meeting to include Chief Daniels and himself to discuss some of these purchases.

5. MATTERS FROM THE ATTORNEY.

Mr. Rael was not present.

6. MATTERS FROM THE MUNICIPAL JUDGE.

A. Judge White will present his report for the month of May, 2012.

Judge White presented his report to the Council and asked if they had any questions. There were none.

Judge White discussed the training that Ms. Smith will attend in July. He also discussed the UTO on other Traffic Ordinances stating there were some issues that are not part of the current Ordinance and suggested they may need to be updated. He requested the Chief review amendments as well as the Council and Town Attorney. He reviewed a draft Resolution regarding the proposal to merge Magistrate and Municipal Courts. He added this came from the Judges Association Meeting he attended, stating it would go before the Municipal League and that he would meet with Representative Jim Smith as well.

He added that he was voted the 2nd Vice President of the Municipal Judges Association.

Councilor Ring commented on the burden for the Town Police Officers to go to Santa Fe to go to Magistrate Court.

Judge White stated he agreed fully and he would let them know if he came up with a solution.

7. COLTPAC PRESENTATION – Conceptual Maintenance Agreement.

Ms. Beth Mills made a presentation to the Council regarding this agreement and then asked Ms. Sandra Donner to describe the facility.

Ms. Donner described the facility and the intended uses for the Council and public and this project being in the works for three years to get to this point. The conceptual plan is estimated at \$630,00, would be a gated area would include parking areas, arenas, picnic areas, equestrian trails and hiking trails. Construction will begin this fall.

Council, Staff and the COLTPAC Representatives entered into discussions regarding the agreement. Outlined were the Town's responsibilities of open and closing the gate, locking/unlocking the water hydrant, monitor the vault toilet for cleaning, trash collections, manure removal, monitor arena, and irrigate the trees. Santa Fe County's responsibilities would be to pay the water bill, pay for the vault toilet cleaning, maintain roads and trails, and maintain landscaping. Stewardship/Friends groups would schedule events, manage permits and collect fees. Group Event participants would pay fees and maintain arena.

Councilor Abrams suggested any fees collected could be applied to the construction of a roof.

Mr. Seagers asked about the size of the arena and if it could not have been larger.

Ms. Mills stated they were limited in size by the nature of the site in terms of slope and soil.

Ms. Mahalick clarified Ms. Mills was looking for a nod of approval of the structure from the Council and a consensus they would work towards a maintenance agreement as this moved forward.

Mayor Hill stated he was confident that an agreement could be reached and suggested Wildlife West may be a part of it.

8. EMERGENCY PREPARATION – Mr. Martin Vigil, Santa Fe County.

Mr. Martin Vigil made a presentation to the Council and public regarding Emergency Preparation. He described some of the recent fires in New Mexico and provided planning and resource information that would be useful in the event of a local emergency. He discussed to-go bags if families needed to go to shelters. Mr. Vigil discussed defensible space around homes, stored building materials, and attic vents. He urged people to talk about their plans with friends, family and neighbors on keeping a list of items to that could be taken in one vehicle and possibly identifying a container to put these items in. He discussed the limited capabilities on alerting the public of emergencies and suggested citizens have access to a weather alert radio, and he talked about the reversed 911 system that you can subscribe to. Councilor Simmons asked about having a Neighborhood Association that would provide guidance. Mr. Vigil gave information on a website to assist with the safety of community members and their animals. Website is SantaFe911.on the alert.com

9. PUBLIC COMMENTS OF GENERAL MATTERS.

Note: If you plan to speak under Public Hearings, please do not sign up for this topic.

Mr. Steiner discussed the recent election in which Mr. Larry Miller was elected to the State House District 50.

10. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required: Continued from the Council Meeting of May 16, 2012.

Ms. Muller certified public notice had been posted as required.

A. Proposed Ordinance 2012-03 Uniform Traffic Ordinance will amend all revisions through July, 2012. (Article VIII Operation of Bicycles).

Ms. Mahalick reviewed this item for the Council stating the requirement for licensing bicycles was adopted in 2009 and not one has been registered in the Town of Edgewood. She stated the amendment before them this evening omitted the portions requiring bicyclists to be registered with the Town because it is not practical for this area.

MOTION: Councilor Abrams made a motion to adopt Ordinance 2012-03. Councilor Simmons seconded the motion.

At this time Mayor Hill called for public comment.

Mr. Jim Rose made comment from the audience stating this made a lot of commonsense.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. The motion carried.

B. Amending the Zoning Map for Property Located Adjacent to the Corner of Quail Trail and Church Road. Property is zoned Residential R-1, 2.40 acres, requesting Residential/Institutional R-3 Zoning.

Quasi Judicial Procedure

At this time Mayor Hill described the Quasi Judicial Process for the Council and Public. Ms. Muller swore in all parties to give testimony.

Ms. Mahalick reviewed the staff report for the Council stating the Planning & Zoning Commission recommended the Council move forward with the Zone Change. She added the Zoning Notification did not receive any protests from adjoining property owners and were working with them to make improvements to the commercial property to the immediate West as well as cooperating with the Senior Center for a community Garden and walking trail between the facilities. She continued that upon her research of the MUTC, this facilities use does not meet the criteria that would require a traffic signal at this time.

Ms. Robin Markley, the applicant for the zone change made a brief presentation to the Council describing the new facility and the need for such an addition in the community.

MOTION: Councilor Simmons made a motion to amend the Zoning Map for Property Located Adjacent to the Corner of Quail Trail and Church Road. Councilor Abrams seconded the motion.

Councilor Abrams stated he had no conflict of interest or ex-parte communication. Councilor Simmons stated she had no conflict of interest or ex-parte communication. Councilor Ring stated he had no conflict of interest or ex-parte communication. Mayor Hill stated he had no conflict of interest or ex-parte communication. At this time Mayor Hill called for public comment. There was none.

VOTE: Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

11. ORDINANCE NO. 2008-04 ANIMAL CARE & CONTROL – Proposed Changes – Officer Victoria Murphy.

Officer Murphy reviewed the proposed changes beginning with the abandonment portion for the Council and public. She described a couple examples of abandonment and explained why the current ordinance was insufficient to deal with the problem. She continued this amendment would offer new language that is in line with the State of New Mexico.

Councilor Ring asked for clarification as to whether this is a department or division. Ms. Mahalick responded this is a department and is identified as such in the Personnel Ordinance as well as the Pay Plan.

Councilor Ring stated the new definitions that were presented should also be included in the Ordinance.

Mayor Hill stated this was a concept and asked if the Council would have an interest in moving forward with making these changes.

MOTION: Councilor Abrams made a motion to table this item until all the documents are available. Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

Officer Murphy reviewed the section pertaining to animals left in vehicles as well as animals that leave the owners' property.

Council stated they did not have that document in front of them this evening.

Officer Murphy stated the large retailers in the area have prompted a jump in the number of calls the Animal Control department receives and she would provide this information at a future meeting for their review. She also reviewed the portion pertaining to licensing and read the changes for the Council.

MOTION: Councilor Abrams made a motion to table this item and continue it at the next meeting so all the documents were available. Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

12. MATTERS FROM THE ADMINISTRATOR/PLANNER.

A. Animal Shelter.

Ms. Mahalick reviewed this item for the Council. She presented a scaled drawing and described possible layouts utilizing the covered picnic area behind the Community Center.

Mayor Hill stated this is something that can be done quickly and solve the immediate need. He added the downside is they would lose the use of the area as it is now but the tables could be moved to Section 16 which will be home to more and more recreational uses as it develops.

Mr. Cameron Murphy described his experience with parvovirus at Albuquerque Human Association stating they eventually had to concrete the area because the soil treatments could not effectively penetrate and the dogs were digging and causing re-exposure. He added the area behind the Community Center has concrete in place that can be more easily sterilized.

Ms. Mahalick added the infrastructure is in place, the land adjoins the Fire Department who will be vacating in the near future and therefore it is unlikely any residents would be complaining of animal noises.

Councilor Simmons stated this could be successful, and she applauded the effort of Ms. Mahalick and Mayor Hill in responding to this problem so quickly.

Councilor Abrams asked if there was sufficient space to get 18 kennels.

Officer Murphy stated there would be 20 kennels.

Mayor Hill stated the playground area could be moved to Section 16.

Ms. Mahalick estimated the cost to renovate the park area to be approximately \$80,000.00.

Mayor Hill asked if he could get a consensus from Council to move forward exploring the idea.

B. Approval for Woofstock Budget.

Ms. Mahalick reviewed this item for the Council stating they had not yet secured the \$4,000.00 Grant and were asking to Town to fund the Event if the Grant does not come through.

Council agreed by consensus. A budget item will be prepared.

C. Costs for Road Improvements Project with Albuquerque Asphalt.

Ms. Mahalick presented the costs provided by Albuquerque Asphalt if they decide not to wait for Santa Fe County. She asked for direction from Council.

Councilor Simmons asked if the Town would do the prep work and if there were funds available.

Mayor Hill stated there are durability issues and long term maintenance is a factor as well as timing. He also stated they may have to do a mix with some roads receiving chip seal and some receiving asphalt. He stated the Council would need to hold budget workshops

to really work out a plan. He continued the encroachment issues were still pending and some of the projects could move forward quickly.

Council and staff entered into discussions regarding scheduling, different surfaces and roads that are in need of improvement. They also discussed the durability comparisons of the asphalt at different thicknesses and chip sealing.

Mr. Tappan Mahoney of Dennis Engineering listed the various applications and their longevity.

Mayor Hill stated he felt that Santa Fe County would be brining chip seal and the Council need to decide if this was sufficient to fulfill the needs of these roads. He suggested they choose one project now and move forward on it. He added they would schedule a work session for this when they come to the calendar portion of the Agenda.

D. Tennis Court Bids.

Ms. Mahalick reviewed this item for the Council listing the fees presented by each company and stated the last time the court was resurfaced was in 2002.

Mayor Hill stated he would eventually like to see all the recreational facilities moved to Section 16. He continued they may not want to invest a lot in the resurfacing of the courts since the problem is in the substrate so they cracks will reoccur and it may be wiser to put new court on Section 16 where they can be properly installed.

Councilor Simmons stated she would like to spend the \$5,000.00 for resurfacing now. Mayor Hill added he would like to get a cost to build a new court at Section 16 and he would like the Council to have this information when they make their decision about resurfacing this one. He also asked the Council to consider the fact the concrete structure that is here could be utilized in some other way and new Courts constructed properly at Section 16.

Mr. Mahoney estimated it would cost \$25,000.00 for the concrete slab for a new court.

E. Written Procedures for Right-of-Way Encroachments.

Ms. Mahalick reviewed this item for the Council outlining a proposed policy for dealing with the encroachments. She added that DOT would move the fences but not structures and they would not do driveways and this can be built into the contract at an additional cost of approximately \$5,000.00 for the Williams Ranch Road area. She stated if the Council approves this concept she can begin notifying property owners.

Councilor Abrams stated he wanted this to move forward as soon as possible.

Council provided a consensus to move forward.

Mr. Gene Bosey stated this would affect him because he lives on Williams Ranch Road and was willing to work with them but felt the language in this contract was a bit threatening. He suggested some changes to make it less threatening.

Mayor Hill responded this document is not intended as a threat and believes they have accomplished what he is asking for in this contract. He added the Council has a political commitment to make road improvements and his point is well taken and they will make every effort to accommodate the land owners.

Mr. John Bassett asked if the fence issue would be put in writing.

Mayor Hill responded a written policy would be established and this was a draft of that policy.

Mayor and Council entertained additional comments from the audience regarding the language of the draft.

F. Request for Funding from the Chamber of Commerce for Run, Rally, Rock. Madeline Heitzman and Mr. Chris Hopper described this years' event and discussed the need for funding of Run, Rally & Rock 2012. They requested \$3,000.00 from Council to help cover the costs of the event. Ms. Mahalick stated there were 2 items listed in which the Town could not fund, t-shirt giveaways and event hats to be given away. Ms. Heitzman stated the Chamber could pick up these costs. Council agreed to move forward with this as a budget item.

G. Edgewood Police Department request for separate domain ".gov"
Ms. Mahalick reviewed this item for the Council stating there would be a registration fee. Councilor Abrams discussed content management and set up. Chief Daniels stated that by State Law the Edgewood Police Department email needs to be a stand alone system. Councilor Abrams clarified the Chief is requesting a separate email system but the web presence is fine the way it is. Mayor Hill stated this could be taken care of pretty easily. He also discussed the Town website stating it is in need of an upgrade. Councilor Abrams confirmed he could make the required changes for the Police Department. He added the Town and all of its departments needed to have a consistent professional presence.

H. Wastewater Septage Hauling.
Ms. Mahalick reviewed this item for the Council stating the nature of the septage would require an entirely separate plant at a cost of \$800,000.00 to \$1.2 million dollars not including the additional maintenance costs. Mayor Hill stated the facility in Moriarty is more conducive to this type of service and feels the region may be better served if the Town partnered with or somehow encourage Moriarty to enhance their existing system to receive this type of septage instead of building our own system. Council agreed by consensus for Mayor Hill to continue his conversations with Mayor Hart to work toward a regional service.

I. Request to Hire Part-Time Seasonal Employee.
Ms. Mahalick reviewed this item for the Council and requested their approval to hire a part time seasonal employee to help with the Animal Control Department.

MOTION: Councilor Ring made a motion to approve the hiring of a part time seasonal employee. Councilor Abrams seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

J. Wind Turbine Performance.

Ms. Mahalick reviewed this item for the Council noting that by moving the thermostat to the proper location there has been a dramatic drop in the electrical costs. She continued that in the month of April the wind turbine generated 88% of the electrical needs of the entire Wastewater system.

K. Memorandum of Understanding – 2 Million Dog Walk.

Ms. Mahalick reviewed this item for the Council stating she was working with them on an MOU, the event would take place in November at Section 16 and they were looking for support from the Town.

13. RESOLUTIONS

A. Resolution No. 2012-12 A Resolution between Santa Fe County/Town of Edgewood For the Wastewater Collection system.

Ms. Mahalick reviewed this item for the Council.

MOTION: Councilor Abrams made a motion to approve Resolution 2012-12.
Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

14. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting – June 20, 2012 @ 6:30 P.M.

B. Regular Council Meeting for July 4, 2012 to be determined.

C. Regular Council Meeting – July, 18, 2012 @ 6:30 P.M.

Mayor Hill reviewed the announcements and upcoming calendar. He asked if they could schedule a workshop.

Council agreed to meet on Tuesday, June 12, at 5:00 p.m. at the Community Center.

NOTE: The Town Offices will be Closed on Wednesday, July 4, 2012 in observance of 4th of July Holiday.

Mayor Hill asked the about the 4th of July Meeting that is scheduled and whether Council would like to cancel or reschedule it.

Council agreed to tentatively reschedule for July 11, 2012 with the option to cancel.

15. FUTURE AGENDA ITEMS.

Mayor Hill asked for future Agenda Items.

Councilor Simmons requested neighborhood watches be placed on the next agenda.

Councilor Ring reminded everyone of the car show on Father's Day.

16. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn. Councilor Abrams seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

Mayor Hill adjourned the meeting at 9:55 P.M.

PASSED, APPROVED and ADOPTED this 6th day of June, 2012

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer